

## ARIZONA REPUBLICAN PARTY

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**Matt Salmon**  
Chairman

October 10, 2006

Office of General Counsel  
Federal Election Commission  
999 E Street, N W , Washington, D C 20463

MUR # 5840

2006 OCT 11 A D 34  
FEDERAL ELECTION COMMISSION  
OFFICE OF GENERAL COUNSEL

To Whom It May Concern

I write to you today in my capacity as chairman of the Arizona Republican Party in reference to 2 U S C 437g(a)(1) regarding Democrat Candidate for Congress Ellen Simon. It is my belief that Ms Simon is in violation of several laws and regulations pertaining to campaign finance.

Most troubling is the apparent attempt by Ms Simon to deceive voters about the true nature of her contributions to her own campaign. On Ms Simon's July 14 filing she stated that she was using "personal funds" in the amount of \$275,000 as a contribution to her campaign. But then on August 11 amendment, she changed the contribution from a personal contribution to a personal loan. However, classifying the contribution as a personal loan was a misrepresentation of the facts. The contribution funds were from a lending institution and collateralized by personal assets. On September 1, Ms Simon finally disclosed the terms of the loan from Wells Fargo Bank.

This makes it clear that Ms Simon intentionally filed a false report to the FEC on July 14. Any reasonable person recognizes that writing a check from one's personal bank account is a personal contribution, while applying for and then receiving a loan from a bank is quite different. Yet Ms Simon filed a completely false report with the FEC on July 14, a clear violation of federal election law.

Second, Ms Simon has numerous instances of underreporting in her filings with the FEC. It appears that her violations were so onerous that it spurred the Commission to write a letter of inquiry to Ms Simon under 11 CFR § 104.3(a)(4)(i), and it appears further that Ms Simon continues to be out of compliance with FEC directives. Specifically, she has only amended her reports to say "best effort," but does not provide documentation that proves she has made this best effort. While I understand that Ms Simon has good reason to attempt to hide who her donors are, likely out of embarrassment that only 11 people in the entire district gave to her campaign, this is still a violation of the law.

Finally, Ms Simon filed a statement of candidacy on May 1 of this year, and by her own admission had raised or spent over five thousand dollars by June 5 of this year.

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Accordingly she should have filed a report to the FEC acknowledging she crossed the five thousand dollar threshold. She did not do this, and waited until the quarterly report before disclosing amounts she raised. Again, this appears to be a clear violation of federal election law.

So that I am in full compliance with the Federal Election Commission here is my contact information:

Matt Salmon  
Chairman  
Arizona Republican Party  
3501 N 24<sup>th</sup> Street  
Phoenix, AZ 85016  
602-957-7770

Additionally you will see that this letter has been notarized and three copies are attached. I thank you for your attention to this matter and look forward to your response.

Sincerely,

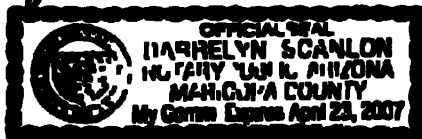


Matt Salmon  
Chairman  
Arizona Republican Party

Subscribed and sworn to before me on this 10 day of October, 2006

*Doreen Scanlon*  
Notary Public

*my Commission expires on 04/23/2007*



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